

Message Text

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TO AMEMBASSY BERN

AMEMBASSY VIENNA

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C O N F I D E N T I A L STATE 027227

VIENNA FOR USDEL TO CONFERENCE ON REPRESENTATION OF STATES

E.O. 11652: GDS

TAGS: PFOR, UN, SZ

SUBJECT: OBSERVER MISSIONS TO INTERNATIONAL
ORGANIZATIONS

1. SWISS AMBASSADOR SCHNYDER CALLED ON IO DEPUTY ASSISTANT SECRETARY BLAKE JANUARY 31 TO DISCUSS PRIVILEGES AND IMMUNITIES OF OBSERVER MISSIONS OF STATES TO INTERNATIONAL ORGANIZATIONS IN RELATION CURRENT NEGOTIATIONS IN VIENNA ON DRAFT CONVENTION ON RELATIONS OF STATES TO INTERNATIONAL ORGANIZATIONS. SCHNYDER ALSO MENTIONED GOS DESIRE TO HAVE SWISS REP NAMED TO DRAFTING COMMITTEE AT THE VIENNA CONFERENCE.

2. SCHNYDER EXPLAINED THAT GOS IS NATURALLY CONCERNED ABOUT STATUS OF OBSERVER MISSIONS SINCE SWITZERLAND IS BOTH HOST AND SENDING STATE, WITH IMPORTANT OBSERVER
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MISSION AT UN. SCHNYDER SAID SWISS SEE LITTLE PROBLEM

CONCERNING STATUS OF OBSERVER MISSIONS FROM RECOGNIZED STATES, AND MENTIONED THAT ONLY A FEW STATES SUCH AS SWITZERLAND, SOUTH VIET NAM, AND SOUTH KOREA HAVE SUCH MISSIONS AT UN. HE EMPHASIZED THAT GOS BELIEVES THAT STATUS OF OBSERVER MISSIONS FROM STATES SHOULD NOT RPT NOT PREJUDICE OR CREATE ANY PRECEDENT FOR STATUS OF NON-STATE MISSIONS, SUCH AS RECENTLY CREATED PRG LIAISON

OFFICE IN GENEVA. IN LATTER CASE, HOST GOVERNMENT SHOULD BE FREE TO DETERMINE THE CONDITIONS FOR ACCEPTING SUCH NON-STATE MISSIONS AS SWISS HAD DONE WITH PRG.

3. BLAKE COMMENTED THAT GRANTING FULL DIPLO-MATIC PRIVILEGES TO OBSEVER MISSIONS OF STATES COULD CREATE PRESUMPTION IN FAVOR OF GRANTING SUCH PRIVILEGES TO MISSIONS FROM NON-STATES, AND THIS WOULD CAUSE US PROBLEMS. AMBASSADOR SCHNYDER REMARKED THAT SWISS OBSERVER MISSION TO UN DID NOT HAVE FORMAL RIGHT TO DIPLOMATIC PRIVILEGES AND IMMUNITIES. ASKED ABOUT PLO OBSERVERS AT LAST YEAR'S UN GENERAL ASSEMBLY, BLAKE POINTED OUT THAT PURSUANT TO A GENERAL ASSEMBLY RESOLUTION US RECEIVED THEM AS OBSERVERS FOR GENERAL ASSEMBLY ACTIVITIES ONLY, NOT AS PERMANENT OBSERVER MISSION WITH FORMAL PRIVILEGES AND IMMUNITIES.

4. THERE WAS DISCUSSION OF POSSIBILITY THAT OBSERVER MISSIONS FROM STATES RECOGNIZED BY HOST GOVERNMENT COULD RECEIVE FULL DIPLOMATIC PRIVILEGES AND IMMUNITIES BUT THAT MISSIONS FROM OTHER STATES OR ENTITIES WOULD RECEIVE PRIVILEGES AND IMMUNITIES TO BE DETERMINED BY AGREEMENTS WORKED OUT BETWEEN THE HOST GOVERNMENT AND THE INTERNATIONAL ORGANIZATION INVOLVED. BLAKE SAID A NUMBER OF SOLUTIONS MIGHT BE OSSIBLE. -FOR EXAMPLE, CONVENTION MIGHT REFRAIN ALTOGETHER FROM MENTIONING PRIVILEGES AND IMMUNITIES OF OBSERVER MISSIONS, OR MIGHT GRANT SUCH PRIVILEGES ONLY TO MISSIONS OF RECOGNIZED STATES WITHOUT TRYING TO DEFINE THE DIFFERENCES BETWEEN STATES AND OTHER ENTITIES.

5. BLAKE MENTIONED THAT DRAFT CONVENTION DOES
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NOT RPT NOT GIVE TO HOST GOVERNMENTS THE RIGHT TO EXPEL MEMBERS OF OBSERVER MISSIONS AS PERSONA NON GRATA, AND STATED THAT US WOULD HAVE DIFFICULTY ACCEPTING A CONVEN-TION WHICH DOES NOT ACCORD THIS RIGHT. SCHNYDER AGREED THAT THIS WAS IMPORTANT RIGHT IN WHICH HIS GOVERNMENT WOULD BE INTERESTED.

6. AMBASSADOR SCHNYDER SUGGESTED THAT FOREGOING DIS-

CUSSION BE REGARDED ONLY AS "THINKING OUT LOUD".
BLAKE NOTED THAT US HAD OTHER PROBLEMS WITH
DRAFT CONVENTION THAN THOSE DISCUSSED. IN CONCLUSION
HE SAID US WOULD TAKE ANOTHER LOOK AT PROBLEM OF OBSERVER
MISSIONS, EMPHASIZED THAT US DESIRES TO KEEP IN CLOSE STEP
WITH SWITZERLAND IN VIEW OF PARALLEL INTERESTS IN THIS
MATTER AND URGED CLOSEST CONSULTATION BEFORE ANY
PRECEDENTS CREATED. KISSINGER

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